

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF Whitney National Bank	COURT CASE NUMBER H-04-2220
DEFENDANT Air Ambulance by B&C Flight Management, Inc., B&C Flight Mgmt., Inc. and Roy G. Horridge	TYPE OF PROCESS Sequestration
SERVE NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Air Ambulance by B&C Flight Management, Inc. RAYTHEON Aircraft Services AT ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 8402 Nelms, Suite 211, Houston, Harris County, Texas 77061	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	
Stephen W. Schueler Winstead Sechrest & Minick P.C. 2400 Bank One Center 910 Travis Houston, Texas 77002		Number of parties to be served in this case	
		Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
FoldCLERK, U.S. DISTRICT COURT
RECEIVED DOCKET SECTION
HOUSTON, TEXAS
SOUTHERN DISTRICT OF TEXAS

JUN 16 2004

AM 7:8,9,10,11,12,1,2,3,4,5,6 PM

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 713/650-8400	DATE 6/14/04
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 71	District to Serve No. 79	Signature of Authorized USMS Deputy or Clerk DP	Date 6/14/04
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I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) Tim Dill, Manager Aircraft Services	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above) 8402 Nelms RAYTHEON Houston, TX 77061	Date of Service 6/15/04 Time 10:22 am Signature of U.S. Marshal or Deputy [Signature]

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS: Atty Stephen Schuler advised to serve Tim Dill, Manager, Raytheon Aircraft Services in lieu of Air Ambulance by B&C Flight Management, Inc. Whitney National Bank to enter into contractual agreement to store sequestered aircraft, log books and engines with Raytheon. Seized 6 Lear jets w engines & 8 Log books. See USMS 102

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

WRIT OF SEQUESTRATION

To the UNITED STATES MARSHAL for the Southern District of Texas:

In Civil Action No. H-04-2220

In the Houston Division

Styled:

Whitney National Bank

versus

Air Ambulance By B&C Flight Management, Inc.; B&C Flight Mgmt., Inc., and Roy G. Horridge

The Plaintiff obtained an Order for Issuance of Writ of Sequestration on June 9, 2004 (the "Order") a copy of which is attached hereto and incorporated herein by reference for all purposes.

You are commanded to take into your possession the property described on Exhibit 1 which is attached hereto and incorporated herein by reference for all purposes, the same property described in the application for Writ of Sequestration and to keep the same subject to further Orders of the court, unless the same is replevied.

YOU HAVE A RIGHT TO REGAIN POSSESSION OF THE PROPERTY BY FILING A REPLEVY BOND. YOU HAVE A RIGHT TO SEEK TO REGAIN POSSESSION OF THE PROPERTY BY FILING WITH THE COURT A MOTION TO DISSOLVE THIS WRIT.

**United States District Court
Southern District of Texas**

Michael N. Milby, Clerk

By: C. Taylor Deputy Clerk
Date Issued: 6/14/04

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

WHITNEY NATIONAL BANK

Plaintiff,

vs.

**AIR AMBULANCE BY B&C FLIGHT
MANAGEMENT, INC.; B&C FLIGHT
MGMT., INC.; AND ROY G. HORRIDGE**

Defendants.

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CIVIL ACTION NO.

H-042220

**ORDER FOR ISSUANCE OF
WRIT OF SEQUESTRATION**

On June 9, 2004, the application and affidavits of Whitney National Bank ("Plaintiff"), plaintiff in this cause, for issuance of a writ of sequestration were presented ex parte. After considering the pleadings and other papers on file with the Court, the evidence presented and the arguments of counsel, the Court finds and concludes that Plaintiff is entitled to a writ of sequestration as requested for the reason that there is immediate danger that Air Ambulance by B&C Flight Management, Inc., B&C Flight Mgmt., Inc. and Roy G. Horridge, individually ("Defendants") may conceal, dispose of, hide, secret or co-mingle the Aircraft or remove them from Harris County or the State of Texas. The Court further finds and concludes that issuance of a writ without notice to the Defendants or a prior hearing is justified in these circumstances.

IT IS THEREFORE ORDERED that the clerk of this Court shall issue a writ of sequestration concerning each of the Aircraft described on Exhibit 1, which is attached hereto and incorporated herein by reference for all purposes (the Aircraft).

The writ must command the United States Marshall to sequester and hold the above-described property found within such Marshall's jurisdiction, and keep it subject to the further Orders of this Court, unless it is replevied in accordance with the provisions of this Order, and applicable law.

IT IS FURTHER ORDERED that this Order not be effective unless and until Plaintiff executes and files with the clerk a bond or cash in lieu of bond, in conformity with the law, in the amount of \$ 1,000⁰⁰.

IT IS FURTHER ORDERED that Defendants, in order to replevy the property sequestered pursuant to the writ, may file with the officer who levied the writ a bond, in conformity with the law, in the amount of \$ 1,000⁰⁰.

IT IS FURTHER ORDERED that Plaintiff in order to replevy property sequestered pursuant to the writ, file with the officer who levied the writ a bond, in conformity with the law, in the amount of \$ 1,000⁰⁰.

Signed this 9th day of June, 2004.



UNITED STATES DISTRICT JUDGE

HOUSTON 1\726519\1
20815-173 06/06/2004

TRUE COPY I CERTIFY

ATTEST: 6/19/04

MICHAEL N. MILBY, Clerk of Court

By [Signature]
Deputy Clerk

TABLE I

Listing of Aircraft and Engines

Aircraft and Engine

One (1) 1978 Cessna 421C, serial number 421C0417, FAA registration number N5EU, One (1) 1979 Cessna 421C, serial number 421C0639, FAA registration number N42ML, One (1) 1973 Gates Learjet 25B, serial number 109, FAA registration number N860MX, three (3) General Electric CJ-6-10 engines, serial numbers 251-580A, 251-383A, and 251-355A

One (1) 1977 Gates Learjet 25D, serial number 225, FAA registration number N140GC, and two (2) General Electric CJ-6-10-6 engines, serial numbers 251790A and 251176A

One (1) 1975 Gates Learjet 36, serial number 005, FAA registration number N9108Z, and two (2) Garrett TFE-731-2-2B engines, serial numbers P74166 and P74167

One (1) 1975 Gates Learjet 35, serial number 013, FAA registration number N535TA (fka N35BN), and two (2) Garrett Airesearch engines, serial numbers P74134 and P74155

One (1) 1978 Gates Learjet 25D, serial number 257, FAA registration number N988AS, and two (2) General Electric CJ610-8A Engines, serial numbers 211057A and 211047A, and One (1) 1977 Gates Learjet 25D, serial number 218, FAA registration number N251DS, and two (2) General Electric CJ610-6 Engines, serial numbers 251-736A and 251-753A

Aircraft Security Agreements

Aircraft Security Agreement dated March 19, 2002 recorded under FAA conveyance #R059672

Aircraft Security Agreement dated November 20, 2002 recorded under FAA conveyance #S121042

Aircraft Security Agreement dated November 20, 2002 recorded under FAA conveyance #II027323

Aircraft Security Agreement dated May 21, 2003 recorded under FAA conveyance #HH035227

Aircraft Security Agreement dated July 25, 2003 recorded under FAA conveyance #FO85865



UNITED STATES MARSHALS SERVICE

Southern DISTRICT OF Texas

SEIZED PROPERTY AND EVIDENCE CONTROL

RECEIVED FROM (Name and address)

8402 Nelms Houston Tx 77061

CASE NO.

H-04-2220

CASE TITLE

Whitney National Bank vrs B&C Flight

SUBJECT (Name, address)

Management Inc. B&C Flight Management, Inc and Roy G. Horrible

ITEM NO.	QTY	DESCRIPTION OF ARTICLES (Include model, serial no., identifying marks, condition, value, etc.)	STORAGE LOCATION
1	6	ADMIN _____ CIVIL <u>X</u> CRIMINAL _____ AIRCRAFT MAKE: <u>LEARJETTS AND ENGINES</u> MODEL: <u>X</u> SERIAL NO.: <u>X</u> See ATTACHED TAIL NO.: <u>X</u> TABLE 1 FLYABLE? <u>X</u>	8402 Nelms Houston Tx 77062
2	8	LOCATION OF LOG BOOKS: <u>8402 Nelms</u> <u>Suite 212</u> Houston Tx 77061 SUBSTITUTE CUSTODIAN: <u>Winstead, Sechart & Mink</u> PC AND/OR <u>Whitney National Bank</u> STORED AT <u>RAYTHEON Aircraft Services</u>	ENGINE SERIAL # 211057A STORED AT Houston Aviation Technical Services 8710 TRAVELAIR Houston Tx 77061

I certify that I have received and hold myself accountable for the articles listed above:

NAME & TITLE (Typed or printed)

DAVID PYKA DASH

AGENCY

U.S. Marshals

DATE

6/15/04

SIGNATURE

CHAIN OF CUSTODY

ITEM NO.	DATE	RELINQUISHED BY	RECEIVED BY	PURPOSE
102	6/15/04	NAME & AGENCY <u>USMS</u> <u>DAVID PYKA</u>	NAME & AGENCY <u>W. Winstead</u>	CUSTODY
		SIGNATURE <u>[Signature]</u>	SIGNATURE <u>[Signature]</u>	
		NAME & AGENCY	NAME & AGENCY	
		SIGNATURE	SIGNATURE	
		NAME & AGENCY	NAME & AGENCY	
		SIGNATURE	SIGNATURE	

EXHIBIT 11. Cessna Model 421C, Serial No. 421C0639; N42ML. ✓

2 of 2 Both

2. Cessna Model 421C, Serial No. 421C0417; N5EU. ✓#2 of 2 Don't have #1
(have 1 of 2 [Box Empty])✓ 3. Gates Lear Jet 25B, Serial No. 109; N860MX. ✓

5 of 5 + AGFA Orange

A. General Electric Engine CJ610; Serial No. 251-580A.

+ Flight MANUAL

B. General Electric Engine CJ610; Serial No. 251-383A.C. General Electric Engine CJ610; Serial No. 251-355A.✓ 4. Gates Lear Jet 25D, Serial No. 225; N140GC. —

2 of 2 Both

A. General Electric Engine Model CJ610-6; Serial No. 251-790A.B. General Electric Engine Model CJ610-6; Serial No. 251176A.✓ 5. Gates Lear Jet Model 36; Serial No. 005; N9108Z. ✓2 marked 3 of 3
1 marked 2 of 3A. Garrett TFE-731-2-2B; Serial No. P74166.B. Garrett TFE-731-2-2B; Serial No. P74167.

3 total

✓ 6. Gates Lear Jet Model 35, Serial No. 013; N535TA. ✓+ Plain Brown
8-21-03A. Garrett Engine Model TFE-731-2; Serial No. P74134.

2 of 2 Both

B. Garrett Engine Model TFE-731-2; Serial No. P74155.Plus ~~Brown~~ Orange
AFGA✓ 7. Lear Jet 25D, Serial No. 257; N988AS. —

2 of 2 Both

A. General Electric Engine CJ610-8; Serial No. 211057A.B. General Electric Engine CJ610-8A; Serial No. 211047A.✓ 8. Gates Lear Jet Model 25D; Serial No. 218; N251DS. —

2 of 2 Both

A. General Electric Engine 610-6; Serial No. 251-736A.

Plus Brown

B. General Electric Engine 610-6; Serial No. 251-753A.

1-5-01

4 days to

TABLE I

Listing of Aircraft and Engines

Aircraft and Engine

Aircraft Security Agreements

One (1) 1978 Cessna 421C, serial number 421C0417, FAA registration number N5EU,
 One (1) 1979 Cessna 421C, serial number 421C0639, FAA registration number N42ML,
 One (1) 1973 Gates Learjet 25B, serial number 109, FAA registration number N860MX, three (3) General Electric CJ-6-10 engines, serial numbers 251-580A, 251-383A, and 251-355A

Aircraft Security Agreement dated March 19, 2002 recorded under FAA conveyance #R059672

One (1) 1977 Gates Learjet 25D, serial number 225, FAA registration number N140GC, and two (2) General Electric CJ-6-10-6 engines, serial numbers 251790A and 251176A

Aircraft Security Agreement dated November 20, 2002 recorded under FAA conveyance #S121042

One (1) 1975 Gates Learjet 36, serial number 005, FAA registration number N9108Z, and two (2) Garrett TFE-731-2-2B engines, serial numbers P74166 and P74167

Aircraft Security Agreement dated November 20, 2002 recorded under FAA conveyance #II027323

One (1) 1975 Gates Learjet 35, serial number 013, FAA registration number N535TA (fka N35BN), and two (2) Garrett Airesearch engines, serial numbers P74134 and P74155

Aircraft Security Agreement dated May 21, 2003 recorded under FAA conveyance #HH035227

One (1) 1978 Gates Learjet 25D, serial number 257, FAA registration number N988AS, and one two (2) General Electric CJ610-8A Engines, engine serial numbers 211057A and 211047A, and

Aircraft Security Agreement dated July 25, 2003 recorded under FAA conveyance #FO85865

One (1) 1977 Gates Learjet 25D, serial number 218, FAA registration number N251DS, and two (2) General Electric CJ610-6 Engines, serial numbers 251-736A and 251-753A

interior gutted

U.S. Department of Justice
United States Marshals Service



SUBSTITUTE CUSTODIAL AGREEMENT

United States of America
Southern District of Texas

ss: 14-04-2220

Pursuant to United States Marshals Service Policy and Procedures Manual, Volume VII: Process, 7.2-12 (5), Page 7-19, ABC, et al, and the law firm of WINSTEAD, SECREST & MINICK PC and/or its appointed agent Whitney NATIONAL BANK AND/or RAYTHED is hereby appointed Substitute Custodian to Sequestration assume custodial role of all personal property goods levied upon in this action, pursuant to the Writ of ~~Execution~~ issued on the 14 day of June, 2004. The United States Marshals Service hereby surrenders the possession of all goods levied upon (as described below) to the Substitute Custodian and shall be discharged from their duties and responsibility for the safekeeping of said goods and shall be held harmless for any and all claims arising whatever out of said substituted possession and safekeeping.

The Substitute Custodian assumes all financial obligations related to the keeping of these goods to include transportation and storage of said goods. The Substitute Custodian must provide written proof that adequate insurance against loss or damage has been obtained, as evidenced by an insurance certificate. All United States Marshals Service cost's shall be paid prior to the release and/or disposition of said goods and the Substitute Custodian shall receipt for the said goods. The Substitute Custodian shall maintain possession and safekeeping of all goods until further order of the Court or as directed by the United States Marshals Service.

Signed and Executed on 15 day of June, 2004
WINSTEAD, SECREST & MINICK

By [Signature]
STEPHEN W. SCHUELEN

Ruben Monzon

U.S. Marshal
Southern District of Texas

By [Signature]
Deputy U.S. Marshal

DAVID PYKA